

4072. Misbranding of spring water. U. S. v. 25 Cases * * * of * * * Spring Water. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 5751. I. S. No. 9642-h. S. No. C-41.)

On June 9, 1914, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 cases, more or less, each containing twelve $\frac{1}{2}$ -gallon bottles of a substance purporting to be spring water, remaining unsold in the original unbroken packages at Hammond, Ind., alleging that the product had been shipped on April 30, 1914, and transported from the State of Illinois into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act, as amended. Twenty of the cases were labeled: "Robinson Spring Water for Bright's Disease, Diabetes, Kidney and Bladder Troubles. Chicago—New York." Five of the cases were branded: "Robinson Spring Water cures Bright's Disease, Diabetes, Kidney and Bladder Troubles. Chicago—New York." The bottles in all cases were branded: "Robinson Springs at Pocahontas, Miss. Spring water a natural curative. Fountain of Health. A proven record of cures of Bright's Disease, Diabetes, Dropsy, Cystitis, Gout, Rheumatism, Indigestion, Kidney, and Bladder Troubles. Robinson Springs Co., 29 South LaSalle Str., Chicago, Ill. Directions: Drink freely 10-12 Glasses per Day."

It was alleged in the libel that the substance in each of the said bottles, purporting to be spring water and branded as aforesaid, contained no ingredient nor combination of ingredients capable of producing the therapeutic effects claimed upon the labels aforesaid upon said bottles and upon said cases, and that said brands on said cases and on said bottles were wholly false and fraudulent. It was further alleged that the substance in said bottles as aforesaid was misbranded contrary to the laws of Congress made and provided in that behalf.

On September 21, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal, but that before making such sale he should remove and obliterate all marks, brands, and figures indicating the substance contained in said containers, and should rebrand the same by placing thereon "Water of unknown kind and value."

C. F. MARVIN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., November 20, 1915.